

REMARKS

Entry of this Amendment in supplement to the Amendment filed on December 9, 2004 is respectfully requested.

By the present Amendment, claims 1 and 2 have been amended for clarification and new claims 18-24 are added. New independent claim 18 corresponds to original claim 16, but includes the further limitation that at least 80% of the ferroelectric body has a polarization axis within 5 degrees of a predetermined direction of an electric field across the capacitive element. This feature corresponds to the amended language provided in claims 1 and 2. As discussed in the December 9, 2004 Amendment, none of the cited prior art from the July 9, 2004 Office Action teaches or suggests this feature. Similarly, dependent claim 20 adds the further feature that the ratio of the electrode area of the capacitor to the whole top plan area of the memory element is 30% or less. This feature is also added to independent claims 1 and 2, and, as noted in the Amendment filed on December 9, 2004, this feature is also lacking from the cited prior art. Therefore, entry and allowance of independent claims 18, together with dependent claims 19 and 20 is respectfully requested.

New independent claims 21 and 22 correspond, respectively, to claims 1 and 2 in including the above noted feature that at least 80% of the ferroelectric body has the polarization axis within 5 degrees of the predetermined direction of the electric field across the capacitive element. New independent claims 23 and 24 correspond to the amended claims 1 and 2 in including the feature that the ratio of the electrode area of the capacitor to the whole top plan area of the memory element is 30% or less. In other words, independent claims 21 and 22 contain the first feature added to


amended claims 1 and 2 with regard to the polarization axis within 5 degrees while independent claims 23 and 24 contain the second feature added to independent claims 1 and 2 regarding the ratio of the electrode area of the capacitor to the whole top plan area of the memory element. In each case, it is respectfully submitted that the prior art cited with the July 9, 2004 Office Action fails to teach or suggest these various features. Therefore, reconsideration and allowance of newly present independent claims 21-24 is also respectfully requested.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 503.30370CC8), and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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